

1632

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Approved for use through 10/31/2002. OMB 0651-0031

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	09/622,452	
	<b>Filing Date</b>	10/31/2000	
	<b>First Named Inventor</b>	David B. Weiner	
	<b>Group Art Unit</b>	1632	
	<b>Examiner Name</b>	Anne Marie Sabrina Wehbe	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b>	UPAP-0404

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)  <div>Remarks</div>	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Return Postcard</b>

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Mark DeLuca, Reg. No. 33,229 Cozen O'Connor, PC
Signature	
Date	11/01/02

CERTIFICATE OF MAILING			
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DOCKET NO.: UPAP-0404 (K-1765)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **David B. Weiner, Jong J. Kim and Jeong-Im Sin**

Serial No.: 09/622,452

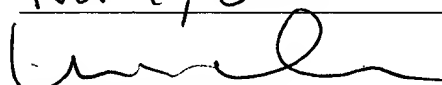
Group Art Unit: 1632

Filed: **October 31, 2000**

Examiner: **Anne Marie Sabrina Wehbe**

For: **VACCINES, IMMUNOTHERAPEUTICS AND METHODS FOR USING THE SAME**

I, **Mark DeLuca**, Registration No. 33,229 certify that this correspondence is being deposited with the U.S. Patent Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on

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Dear Sir:

**REPLY**

**TECH CENTER 1600/2900**

This reply is being filed in response to the Official Action dated October 2, 2002 for the above-identified patent application. Please amend the application as follows.

**In the Claims:**

Please cancel claims 5, 8, 16, 19, 23-32 and 37-39 without prejudice and amend claims 9-11, 20-22 and 33 as follows.

The plasmid of claim 1 wherein said immunogen is herpes simplex antigen HSV2gD.

*Rec'd*  
*BT*  
*9.*